

SB 22-1—~~File Adopted 2004/5/12/069~~ Chair Person COMMITTEE REPORT

MADAM PRESIDENT:

The Senate Committee on Rules and Legislative Procedure, to which was referred Senate Bill No. 22, has had the same under consideration and begs leave to report the same back to the Senate with the recommendation that said bill be AMENDED as follows:

- 1 Delete everything after the enacting clause and insert the following:
- 2 "SECTION 1. IC 13-11-2-38.3 IS ADDED TO THE INDIANA CODE AS
- 3 A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON
- 4 PASSAGE]: **Sec. 38.3. "Concentrated animal feeding operation" or**
- 5 **"CAFO", for purposes of IC 13-18-10 and IC 13-18-20, has the**
- 6 **meaning set forth in 40 CFR 122.23.**
- 7 SECTION 2. IC 13-18-10-1 IS AMENDED TO READ AS
- 8 FOLLOWS [EFFECTIVE UPON PASSAGE]: Sec. 1. (a) A person may
- 9 not start construction of a confined feeding operation without obtaining
- 10 the prior approval of the department.
- 11 (b) **Obtaining a NPDES permit for a CAFO meets the**
- 12 **requirements of subsection (a) and 327 IAC 16 to obtain an**
- 13 **approval.**
- 14 SECTION 3. IC 13-18-20-11.5 IS ADDED TO THE INDIANA
- 15 CODE AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE UPON
- 16 PASSAGE]: **Sec. 11.5. (a) In addition to the fee in IC 13-18-20-12,**
- 17 **when a person files a notice of intent with the department**
- 18 **concerning:**
- 19 (1) an initial; or
- 20 (2) the renewal of a;
- 21 **general NPDES permit for a CAFO, the person must remit a**
- 22 **permit fee of one hundred dollars (\$100) to the department.**
- 23 (b) **In addition to the fee in IC 13-18-20-12, when a person**
- 24 **files an application with the department concerning:**
- 25 (1) an initial; or
- 26 (2) the renewal of an;
- 27 **individual NPDES permit for a CAFO, the person must remit a**

- 1 **permit fee of two hundred fifty dollars (\$250) to the department.**
2 **SECTION 4. An emergency is declared for this act."**
 (Reference is to SB 22 as introduced.)

and when so amended that said bill be reassigned to the Senate Committee on Environmental Affairs.

GARTON Chairperson